

**RECEIVED
CENTRAL FAX CENTER****MAR 08 2007****FAX TRANSMISSION****DATE:** March 8, 2007**PTO IDENTIFIER:** Application Number 10/537,984-Conf. #1376
Patent Number**Inventor:** Daisuke Higashihara**MESSAGE TO:** U.S. Patent & Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** MARSHALL, GERSTEIN & BORUN LLP

Russell C. Petersen

PHONE: (312) 474-6300**Attorney Dkt. #:** 19036/41174**PAGES (Including Cover Sheet):** 13**CONTENTS:**

- Request Correction of Filing Receipt (2 pages)
- Marked-Up Copy of Original Filing Receipt (3 pages)
- Copy Original Application Datasheet (3 pages)
- Copy of Original Declaration (3 pages)
- Certificate of Transmission (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (312) 474-6300 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

MARSHALL, GERSTEIN & BORUN LLP

233 S. Wacker Drive, Suite 6300, Sears Tower, Chicago, Illinois 60606-6357

Telephone: (312) 474-6300 **Facsimile:** (312) 474-0448

PTO/SB/97 (09-04)

Approved for use through 07/31/2006, OMB 0651-0031

U. S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application No. (if known): 10/537,984

Attorney Docket No.: 19036/41174

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on March 8, 2007
Date



Signature

Russell C. Petersen

Typed or printed name of person signing Certificate

53,457

Registration Number, if applicable

(312) 474-6644

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Request Correction of Filing Receipt (2 pages)
Marked-Up Copy of Original Filing Receipt (3 pages)
Copy Original Application Datasheet (3 pages)
Copy of Original Declaration (3 pages)

**RECEIVED
CENTRAL FAX CENTER****MAR 08 2007**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-6500, on the date shown below.

Dated: March 8, 2007 Signature: _____
(Russell C. Petersen)

Docket No.: 19036/41174
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Diasuke HIGASHIHARA

Application No.: 10/537,984

Filed: December 19, 2005

Art Unit: 2856

For: METHOD OF DETECTING RESONANT
FREQUENCY, METHOD OF SELECTING
RESONANT FREQUENCY, AND DEVICE
FOR DETECTING RESONANT FREQUENCY

Examiner: Helen C. Kwok

REQUEST FOR CORRECTED FILING RECEIPTMail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant request the issuance of a corrected Filing Receipt. A copy of the Official Filing Receipt issued by the U.S. Patent and Trademark Office is enclosed with the following corrections noted in red: the Title of the application should be **METHOD OF DETECTING RESONANT FREQUENCY, METHOD OF SELECTING RESONANT FREQUENCY, AND DEVICE FOR DETECTING RESONANT FREQUENCY**, not "Resonance Frequency Sensing Method, Resonance Frequency Selecting Method, And Resonance Frequency Sensor."

Copies of the Application Datasheet filed with the instant application on June 8, 2005 and the Declaration filed December 15, 2005 are also enclosed for your convenience. Accordingly, Applicant respectfully requests the issuance of a corrected Official Filing Receipt in connection with this application.

Application No.: 10/537,984

Docket No.: 19036/41174

Applicant additionally request that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

Respectfully submitted,
MARSHALL, GERSTEIN & BORUN LLP
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606
312-474-6300

By: 

Russell C. Petersen
Registration No. 53,457
Attorney for Applicant

March 8, 2007



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/537,984	12/19/2005	2882	1030	19036/41174	5	10	2

4743
MARSHALL, GERSTEIN & BORUN LLP
233 S. WACKER DRIVE, SUITE 6300
SEARS TOWER
CHICAGO, IL 60606

RECEIVED

MAR 20 2006

MARSHALL GERSTEIN

CONFIRMATION NO. 1376

FILING RECEIPT



OC000000018252232

Date Mailed: 03/13/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Daisuke Higashihara, Hyogo, JAPAN;

Assignment For Published Patent Application

TOA CORPORATION, HYOGO, JAPAN

Power of Attorney: The patent practitioners associated with Customer Number 4743.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP03/15703 12/09/2003

Foreign Applications

JAPAN 2002-357124 12/09/2002

JAPAN 2003-021558 01/30/2003

Projected Publication Date: 06/15/2006

Non-Publication Request: No

Early Publication Request: No

Title

~~Resonance frequency sensing method, resonance frequency selecting method, and resonance frequency sensor~~

Preliminary Class
378

METHOD OF DETECTING RESONANT FREQUENCY, METHOD OF
SELECTING RESONANT FREQUENCY, AND DEVICE FOR DETECTING
RESONANT FREQUENCY.

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof

unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**RECEIVED
CENTRAL FAX CENTER****MAR 08 2007****Application Data Sheet****Application Information**

Application Type::	Regular
Subject Matter::	Utility
Suggested Group Art Unit::	N/A
CD-ROM or CD-R?::	None
Sequence submission?::	None
Computer Readable Form (CRF)?::	No
Title::	Method of Detecting Resonant Frequency, Method of Selecting Resonant Frequency, and Device for Detecting Resonant Frequency
Attorney Docket Number::	19036/41174
Request for Early Publication?::	No
Request for Non-Publication?::	No
Suggested Drawing Figure::	6
Total Drawing Sheets::	5
Small Entity?::	No
Petition included?::	No
Secrecy Order in Parent Appl.?::	No

Applicant Information

Applicant Authority Type::	Inventor
Primary Citizenship Country::	Japan
Status::	Full Capacity
Given Name::	Daisuke
Family Name::	Higashihara
City of Residence::	Hyogo
Country of Residence::	Japan
Street of mailing address::	c/o Takarazuka Headquarters TOA Corporation

2-1, Takamatsu-cho, Takarasuka-shi
City of mailing address:: Hyogo
Country of mailing address:: Japan
Postal or Zip Code of mailing address:: 665-0043

Correspondence Information

Correspondence Customer Number:: 04743

Representative Information

Representative Customer Number:: 04743

Domestic Priority Information

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	National Stage of	PCT/JP2003/015703	12/09/03

Foreign Priority Information

Country::	Application number::	Filing Date::	Priority Claimed::
Japan	2003-021558	01/30/03	Yes
Japan	2002-021558	12/09/02	

Assignee Information

Assignee name:: TOA CORPORATION
Street of mailing address:: 2-1, Minatojimanakamachi 7-chome
Chuo-ku, Kobe-shi
City of mailing address:: Hyogo
Country of mailing address:: Japan
Postal or Zip Code of mailing address:: 650-0046

Application No. (if known):

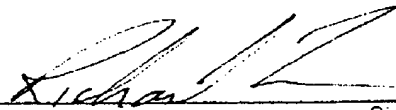
Attorney Docket No.: 19036/41174

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV 532463839 US in an envelope addressed to:

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on June 8, 2005
Date



Signature
Richard Zimmermann

Typed or printed name of person signing Certificate
n/a 312-474-6300
Registration Number, if applicable Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

English language translation of the International application
Information Disclosure Statement
Preliminary Amendment
Transmittal Letter to the United States Designated-Elected Office
(2 pages)
Application Data Sheet
Check in the amount of \$1,000.00

**RECEIVED
CENTRAL FAX CENTER**

MAR 08 2007

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
DECLARATION FOR PATENT APPLICATION**

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Method of Detecting Resonant Frequency, Method of Selecting Resonant Frequency, and Device for Detecting Resonant Frequency

the specification of which was filed on June 8, 2005, given U.S. Serial No. 10/537,984.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

- ☐ no such foreign applications have been filed
☒ such foreign application have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing (dd/mm/yyyy)	Priority Claimed Under 35 USC 119
2003-021558	JP	January 30, 2003	<u> x </u> Yes No <u> </u>

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing (dd/mm/yyyy)
2002-357124	JP	December 9, 2002

CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

Attorney Docket No.: 19036/41174

- ☒ no such U.S. provisional applications have been filed.
☐ such U.S. provisional application have been filed as follows:

Application Number	Date of Filing (dd/mm/yyyy)	Priority Claimed Under 35 USC 119
		___ Yes No ___

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

- ☐ no such U.S./PCT applications have been filed.
☒ such U.S./PCT application have been filed as follows:

Application Number	Date of Filing (dd/mm/yyyy)
PCT/JP2003/015703	09 December 2003

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 04743

jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

Please mail all correspondence to Richard H. Anderson, whose address is:

MARSHALL, GERSTEIN & BORUN LLP
 233 S. Wacker Drive, Suite 6300
 Sears Tower
 Chicago, Illinois 60606-6357

Please direct telephone calls to: Richard H. Anderson at (312) 474-6300.

Please direct facsimiles to: (312) 474-0448

Attorney Docket No.: 19036/41174

Full name of sole or first inventor Daisuke Higashihara	
Sole or first inventor's signature <i>Daisuke Higashihara</i>	Date <i>10 August 2005</i>
Residence Hyogo, Japan	
Citizenship Japan	
Mailing Address c/o Takarazuka Headquarters TOA Corporation 2-1, Takamatsu-cho, Takarazuka-shi Hyogo; 665-0043; JAPAN	

Full name of second inventor, if any	
Second inventor's signature	Date
Residence	
Citizenship	
Mailing Address	

Full name of third inventor, if any	
Third inventor's signature	Date
Residence	
Citizenship	
Mailing Address	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Mailing Address	